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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/773,066

02/05/2004

Thomas Michael Watson

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09/13/2007

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EXAMINER

NGUYEN, QUYNH H

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

09/13/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/773,066

**Applicant(s)**

WATSON ET AL.

**Examiner**

Quynh H. Nguyen

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-14, and 17-21 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim 21, claims the non-statutory subject matter of a software product. Applicant's disclosure has no clear support of what "product" has been positive disclosed as. Therefore, the Applicants have not complied with 35 U.S.C 101.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-5, 8-14, and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Der Gouwe (US Patent 6,785,362) in view of Williams et al. (US Patent 6,766,009).

As to claims 1, 4, 11, 13, and 21, Van Der Gouwe teaches a method and system of operating a message conversion (col. 3, lines 47-58) comprising:

receiving a call signaling message for a call in a first format into a first interface (col. 3, lines 17-26) wherein the call signaling message includes a plurality of call information elements (col. 4, line 66 through col. 5, line 3; col. 6, lines 50-55);

transmitting the setup message from a second interface (col. 7, lines 18-23; col. 11, lines 20-26).

Van Der Gouwe does not teach copying the call information elements from the call signaling message; inserting a first group of call information elements into the call information elements correspond to the first group of the fields of the setup message; and inserting a second group of the call information elements into a second group of fields of the setup message wherein the second group of the call information elements do not correspond to the second group of the fields of the setup message.

Williams et al. teaches copying the call information elements from the call signaling message (col. 2, lines 34-39); inserting call information elements (*an identifier string*) into setup message (col. 2, lines 30-33; col. 3, lines 46-49), and using the identifier strings to correlate the call setup signaling message with the information (col. 2, lines 37-43). However, Van Der Gouwe and Williams do not teach inserting a first /

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second group of call information elements wherein the second group of the call information elements do not correspond to the second group of the setup message.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Williams into the teachings of Van Der Gouwe for the purpose of having a more efficient system and adapting to serve multiple telephone lines simultaneously, as discussed by Williams (col. 2, lines 20-29).

As to claims 2 and 12, Williams et al. teaches the call signaling message comprises an IAM of the SS7 signaling protocol (col. 3, lines 52-55).

As to claim 3, Williams et al. teaches the setup message comprises an ISDN setup message (col. 3, lines 52-55).

As to claims 5 and 14, Williams et al. teaches a setup signaling messages ' fields a user-user field of ISDN setup message (col. 3, lines 52-56). However, Van Der Gouwe and Williams do not teach the remaining field comprises a user-user field of an ISDN setup message. A remaining field in a setup signaling messages is well known and the advantage of using the field is also well known. For example, there is certain fixed length for each message, sometime not all fields are used, and therefore remaining fields exist.

As to claims 8 and 17-18, Van Der Gouwe teaches call information elements comprises a calling / called party numbers (col. 4, line 66 through col. 5, line3; col. 6, lines 50-55).

As to claims 9 and 19, Williams et al. teaches serving telephony equipment over PRI channels (col. 3, lines 62-65), the signaling links in the PSTN are enhanced ISUP

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trunks (col. 4, lines 5-15). Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made that receiving the call over a feature group D connection is well known in the art.

As to claims 10 and 20, Williams et al. teaches extending the call over an ISDN connection (col. 4, lines 33-37; col. 5, lines 60-65).

### ***Allowable Subject Matter***

5. Claims 6-7 and 15-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 6 and 15, prior arts of record fail to teach, or render obvious, alone or in combination a method of operating a message conversion system, comprising the claimed means and their components, relationships, and functionalities as specifically recited in claims 6 and 15 and the claims that it depended on.

Claims 7 and 16 are objected because they depend on objected claims 6 and 15.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Farris et al. (US Pub 2003/0198218) teaches packet data network voice call quality monitoring.

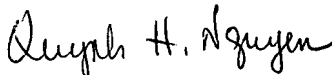
Miloslavsky (US Patent 5,991,391) teaches dynamic re-routing.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**Quynh H. Nguyen**  
**Primary Examiner**  
**Art Unit 2614**